

PATENT APPLICATION
DOCKET NO.: 200207723-1

REMARKS

Claims 1-30 are currently pending. Claims 1, 10, and 22 are in independent form.

Claims 5, 11-21, and 26 have been amended.

No new matter is introduced hereby.

Favorable reconsideration of the present application as currently constituted is respectfully requested.

Regarding the Specification

Applicant has appropriately amended Paragraphs [0002] and [0059] of the specification as set forth above in order to update the related patent application data provided therein.

Regarding the Claim Rejections - 35 U.S.C. §112

In the pending Office Action, claims 11-21 stand rejected under 35 U.S.C. §112, 2nd paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." Responsive to the comments provided in the Office Action in this regard, Applicant has appropriately amended claims 11-21 as set forth above. Accordingly, it is believed that the pending §112, 2nd

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paragraph, rejections have been overcome or otherwise rendered moot by the present response.

Regarding the Provisional Double Patenting Rejection

In the pending Office Action, claims 1-5 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 and 23 of U.S. Patent Application No. 10/629,989. Additionally, claims 10 and 22-24 are also provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 2 of U.S. Patent Application No. 10/630,159. In response, Applicant has enclosed herewith appropriate terminal disclaimers in accordance with 37 C.F.R. §1.321, wherein the conflicting double patenting references are individually disclaimed therein. See MPEP 804.02(IV). It is therefore respectfully submitted that the pending double patenting rejection has been obviated hereby.

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Regarding the Allowable Subject Matter

Applicant gratefully appreciates the indication in the current Office Action that claims 6-9, 11-21, and 25-30 would be allowable if rewritten in independent form including the limitations of the respective base claim and any intervening claims. In view of the present response, however, it is believed that all pending claims, i.e., claims 1-30, are in condition for allowance in their current form.

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SUMMARY AND CONCLUSION

In view of the foregoing, it is believed that the present patent application as currently constituted is in condition for allowance. Accordingly, a favorable action in the form of an early notice of allowance is respectfully requested.

Respectfully submitted,

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